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EDUCATION, LABOR, AND PENSIONS
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COMMITTEE ON INDIAN AFFAIRS

United States Senate

February 3, 2012

The Honorable Regina M. Benjamin, MD, MBA
U.S. Surgeon General
Tower Building
Plaza Level 1, Room 100
1101 Wootton Parkway
Rockville MD 20852

Dear Dr. Benjamin:

I am writing to bring to your attention an issue raised to me by Ms. Elizabeth Kelley regarding potential adverse health effects associated with cell phone use that appears to be in the jurisdiction of the U.S. Surgeon General.

When matters such as this are raised by a petitioner, it is my policy to refer them to the appropriate federal department or agency, regardless of whether the petitioner has any personal or political relationship with me. It is also my policy that I ask for no preferential treatment for this petitioner or any single or select group of interests, nor do I advocate a specific outcome for this or any other petitioner.

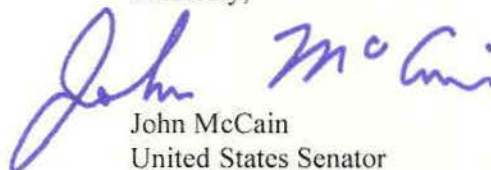
I ask that this matter be considered in strict accordance with existing agency rules, regulations, and ethical guidelines. My sole interest is to ensure that this petitioner is treated fairly and equitably and in a manner that reflects appropriate and prompt service to citizen taxpayers.

I am enclosing correspondence from Ms. Kelley regarding this matter. I would appreciate a timely response to this petitioner addressing her concern, with a copy sent to me for my information. PLEASE MARK ALL CORRESPONDENCE TO:

Attn: Greg Kuhn in my Washington office, 241 Russell Senate Office Building,
Washington, D.C. 20510.

Let me reiterate that I am not advocating a specific result in this matter, and I trust that whatever decision or course of action you may take will be made in the best interests of the country. Again, I seek no preferential treatment for Ms. Kelley and request only that she be treated appropriately, fairly, and in a timely manner.

Sincerely,



John McCain
United States Senator

JM/GK

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February 3, 2012

The Honorable Regina M. Benjamin, MD, MBA
U.S. Surgeon General
Public Health Service
5600 Fishers Lane, Room 18-66
Rockville, MD 20857

Subject: Request for a public health investigation into the potential for serious human health risks associated with involuntary exposure to non-ionizing radiation from wireless communications technologies

Dear Honorable Dr. Benjamin:

We, the undersigned, request that you, according to a longstanding tradition in serving as the nation's public health doctor, initiate an investigation to examine the potential adverse health effects due to non-ionizing electromagnetic radiation from wireless communications technologies.

Wireless technologies are ubiquitous, and are creating chronic, involuntary exposure conditions that threaten the public health. In 2002, and then in May 2011, the International Agency on Research on Cancer (IARC), an agency of the World Health Organization, classified (1) electromagnetic fields and (2) radiofrequency or microwave radiation as possible (Class 2B) human carcinogens¹. According to Dr. Jonathon Samet, Chairman of the IARC Radiofrequency Working Group, "Our conclusion means that there could be some risk, and therefore we need to keep a close watch for a link between cell phones and cancer risk." Samet, a professor at University of Southern California in Los Angeles, was appointed to the National Cancer Advisory Board by President Obama earlier this year.

We believe that, if an early investigation were undertaken by your offices, it would be a timely, preventive and precautionary response. There are continuing national and international debates over potentially adverse health effects, and people with no voice are vulnerable to pulsed radiofrequency radiation, especially children and the unborn. (See Appendix.) Americans will benefit from hearing from you.

We believe that the need for such an investigation is justified, since the stakes are very high if there is a health hazard. Over 300 million Americans now use cell phones, smart phones, cordless phones, Wi-Fi routers and other wireless devices for routine communications. Almost 30 percent of American households are "wireless only", having no wired telephone communications services. The Federal Communications Commission and the telecommunications industry are presently seeking Congressional approval to eliminate land-line wired phone services as part of their mobile broadband initiative. They claim it is too expensive to maintain both wired and wireless phone services for U.S. subscribers.

¹ World Health Organization's International Agency on Research on Cancer, Press Release, "IARC Classifies Radiofrequency Electromagnetic Radiation as Possibly Carcinogenic to Humans," May 31, 2011. <http://www.iarc.fr/en/media-centre/pr/2011/pdf/pr208-E.pdf>.

The United States now stands at a critical point in time with the deployment of wireless technologies, encouraging the crossing of the digital divide, and seeming to want to become a “wireless” nation. Federal funds are being spent to spur corporate and state government deployment of broadband and smart grid infrastructures to meet energy efficiency and communications needs in the 21st Century. These infrastructures and their convergence are preferentially designed to be operated by wireless networks.

Considering that these technological developments are rapidly changing the way Americans live their lives, it is important that biological effects of chronic exposure to low intensity electromagnetic environments and the potential for adverse health effects be given closer scrutiny. The pervasive use of these technologies in classrooms, workplaces and other public spaces, where all segments of our population are involuntarily exposed, has yet to be evaluated. If there are significant health effects, they could affect economic health as well due to worker productivity losses and higher long-term health care costs to the nation.

We believe that the continuing health and safety concerns being raised by the World Health Organization and other respected and credible government organizations, such as the National Academy of Sciences, the U.S. Presidential Panel on Cancer, The Parliamentary Assembly of the Council of Europe (PACE) and the EU Parliament deserve your immediate attention.

Salient highlights of such recent actions include:

1. The National Academy of Sciences / National Research Council issued a 2008 report entitled: *Identification of Research Needs Relating to Potential Biological or Adverse Health Effects of Wireless Communications*.² It recommends research that focuses on exposures to juveniles, children, pregnant women, fetuses, the elderly, and persons with implanted medical devices, from personal wireless devices, and RF fields from base station antennas, including multiple antenna source conditions on affected individuals.
2. The U.S. President’s Cancer Panel Report of 2009-10³ identified electromagnetic radiation, the non-ionizing energy generated by the growing multitude of wired and wireless technologies, as one of several environmental toxins that many experts believe are the cause of increased cancer rates. This report concludes by recommending, “a precautionary prevention-oriented approach over the reactionary approach to environmental contaminants in which human harm must be proven before action is taken to reduce or eliminate exposure.”
3. In May 2011, the Parliamentary Assembly of the Council of Europe passed Resolution 1815, calling for all member states to, “take all reasonable measures to reduce exposure to

² National Academy of Science’s National Research Council, “Identification of Research Needs Relating to Potential Biological or Adverse Health Effects of Wireless Communications”, 2008. <http://www.NationalAcademies.org/opinenws/Newsitem.aspx?RecordID=12036>

³ U.S. Presidential Cancer Panel Report, “Reducing Environmental Cancer Risk, What We Can Do Now? 2009-10. http://deainfo.nci.nih.gov/advisory/pcp/annualReports/pcp08-09rpt/PCP_Report_08-09_508.pdf.

electromagnetic fields, especially to radio frequencies from mobile phones, and particularly the exposure to children and young people who seem to be most at risk from head tumours.⁴

In 2009, by majority vote, the EU Parliament affirmed an earlier EMF Resolution (522 yeas, and 22 nays, with 8 abstentions)⁵.

4. On October 4, 2011, Health Canada issued a cell phone warning, advising Canadians to take more precaution, particularly on behalf of children.⁶ In so doing, Canada joins the City of San Francisco, Israel, Germany, India, France, Finland, Switzerland, and several other nations in calling for more precautionary use of cell phones by children and young adults in order to prevent cancers, and other adverse health effects.

In light of the widespread concerns over the potential adverse health effects of wireless technologies, and the lack of scientific information on how chronic long-term exposures will affect health, we request that you, our U.S. Surgeon General, investigate this issue as a high priority matter on behalf of the American people. After due consideration, we request that you consider issuing health advisories to the American people, as appropriate.

We are eager to hear from you at the earliest time possible.

Sincerely,

Elizabeth Kelley, MHA
Director, Electromagnetic Safety Alliance, Inc.
Tucson, Arizona

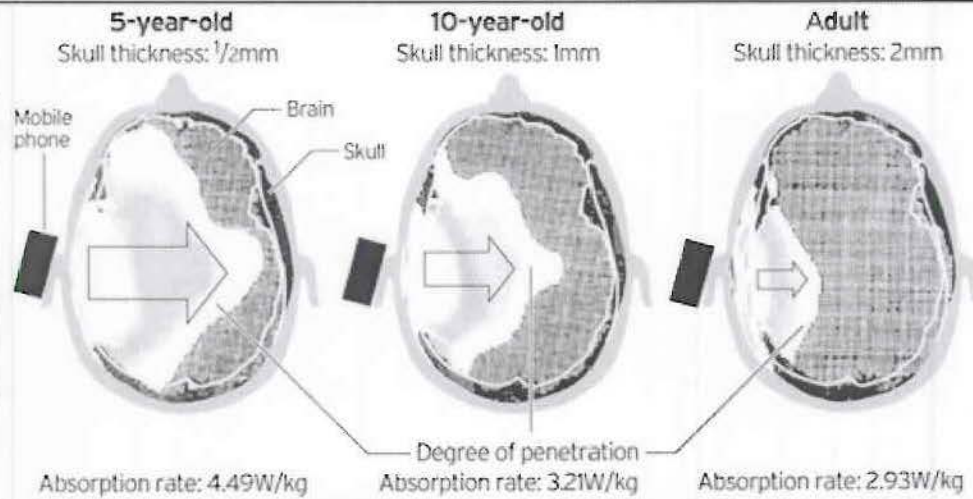
⁴ Council of Europe Parliamentary Assembly (PACE) 2011 EMF Resolution
<http://assembly.coe.int/Mainf.asp?link=/Documents/AdoptedText/tal11/ERES1815.htm>;

⁵ European Parliament EMF Resolution, 2009 <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P6-TA-2009-0216&language=EN>

⁶ Health Canada cell phone safety advisory: <http://www.hc-sc.gc.ca/hl-vs/iyh-vsv/prod/cell-eng.php>

Appendix

How mobile phone radiation penetrates the brain



Source: Institute of Electrical and Electronic Engineers' journal on Microwave Theory and Techniques